

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

ANJA HINDES

Plaintiff,

vs.

Civil Action 2:13-cv-354  
Judge Frost  
Magistrate Judge King

MONTGOMERY LYNCH & ASSOCIATES,  
INC.,

Defendant.

REPORT AND RECOMMENDATION

This case was filed on April 15, 2013. On September 11, 2013, the Court granted plaintiff's second requested extension of time to effect service process. Order, Doc. No. 13. Plaintiff was expressly advised that, if service of process were not affirmatively demonstrated by November 16, 2013, the case would be dismissed. *Id.*

The record does not reflect either service of process or a waiver of service.

It is therefore **RECOMMENDED** that the action be dismissed for failure to timely effect service of process. See Fed. R. Civ. P. 4(m).

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part

thereof in question, as well as the basis for objection thereto. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

November 19, 2013

s/Norah McCann King  
Norah M<sup>c</sup>Cann King  
United States Magistrate Judge